

App. No. 09/970068  
Office Action Dated August 20, 2004  
Amd. Dated October 19, 2004

### **REMARKS**

Reconsideration is respectfully requested in view of the above amendments and following remarks. Claims 3, 4, 13-16, 18-20, 22, and 24-26 are hereby amended. Claim 3 has been amended to incorporate the limitations recited in canceled claim 1 and claims 4, 22 and 24 have been amended to depend from allowable claim 3. Claim 13 has been amended to incorporate the limitations recited in canceled claim 12 and claims 14-16 and 25 have been amended to depend from allowable claim 13. Claim 19 has been amended to incorporate the limitations recited in claim 17 and claims 18, 20 and 26 have been amended to depend from allowable claim 19. Claims 1, 12, 17, 23 and 27 have been canceled without prejudice or disclaimer. No new matter has been added. Claims 3-11, 13-16, 18-22 and 24-26 are pending.

Applicants appreciate the indication of allowable subject matter in claims 3, 6-11, 13 and 19.

### **Claim objections**

Claim 27 is objected to for inconsistent claim terminology. The objection is rendered moot as claim 27 has been canceled. Withdrawal of the objection is respectfully requested.

### **Claim rejections - 35 U.S.C. § 102**

Claims 1, 4, 12, 14, 16-18, 20 and 22-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Endo et al. (EP 1021070). Applicants respectfully traverse the rejection made by the Examiner for at least the following reasons. This rejection is rendered moot, as claims 1, 12, 17, 23 and 27 have been canceled, claims 4, 22 and 24 depend from allowable claim 3, claims

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14, 16 and 25 depend from allowable claim 13, and claims 18, 20 and 26 depend from allowable claim 19. Applicants do not concede the correctness of the rejection. Withdrawal of the rejection is respectfully requested.

**Claim rejections - 35 U.S.C. § 103**

Claims 5, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo et al. (EP 1021070). Applicants respectfully traverse the rejection made by the Examiner for at least the following reasons. Claim 5 depends indirectly from allowable claim 3, claim 15 depends from allowable claim 13 and claim 21 depends indirectly from allowable claim 19. Withdrawal of the rejection is respectfully requested in view of the above amendments.

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions or concerns regarding this communication can be directed to the undersigned attorney, Michael D. Schumann (Reg. No. 30,422), at (612) 336.4638.


Respectfully submitted,



Dated: October 19, 2004

MDS:mmm

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